

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF TENNESSEE
Eastern DIVISION

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JUL 14 2015

Joshua Rankin # 525763,)
_____,)
_____,)
_____,)
Plaintiff(s),)

CLERK, U.S. DIST. COURT
WESTERN DIST. OF TENN

Vs.)

Docket/Complaint No. _____

JURY TRIAL DEMANDED

Demarcus Carney, Correctional,)
officer at Whiteville Correctional facility,)
Michael Jennings, Correctional officer,)
at Whiteville Correctional Facility, CCA,)
Respondents.

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
UNDER 42 U.S.C. §1983

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (X)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit on another piece of paper, using the same outline.)

Plaintiff(s)

NA

Defendant(s)

— NA —

2. Court [if federal court, name the district; if state court, name the county]

3. Docket number: _____

4. Name of judge to whom case was assigned: _____

5. Disposition [for example: was the case dismissed? Was it appealed? Is it still pending?]

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT:

Whiteville Correctional Facility
1440 Union Springs Road
PO Box 679
Whiteville, TN 38075

- A. Is there a prisoner grievance procedure in this institution? Yes (X) No ()
- B. Did you present the facts relating to your Complaint in the state prisoner grievance procedure? Yes (X) No ()
- C. If your answer is yes,

1. What steps did you take? Appealed to the Warden and also
appealed to the State Commissioner
2. What was the result? Appeals both denied. See attached
copies of grievance papers filed.

D. If your answer is "no" explain why not: - NA -

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? Yes () No ()

F. If your answer is yes,

1. What steps did you take? _____

2. What was the result? _____

III. PARTIES:

[In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.]

A. Name of Plaintiff(s): Joshua Rankin #525763

Address: Whiteville Correctional Facility
1440 Union Springs Rd. Whiteville, TN 38075

[In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item C for the names, positions and places of employment of any additional Defendants.]

B. Name of Defendant: Michael Jennings, is employed as a correctional officer at Whiteville Correctional Facility.

Name(s) of additional Defendants: Demarcus Carney is also employed as lieutenant of correctional officer's at Whiteville Correctional Facility (CCA)

IV. STATEMENT OF CLAIM:

[State here as briefly as possible the facts of your case. Describe how each Defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach additional sheets if needed.]

On May 5th, 2015 at approx. 1:13 P.M. plaintiff Rankin had a dispute with correctional officer Sgt. Brown about going to medical. After leaving, Sgt. Brown returned a few minutes later and told the Plaintiff to come with her to medical. On their way out of the unit Sgt. Brown became reckless in raising her voice and cursing the Plaintiff trying to provoke a confrontation. As Sgt. Brown and the Plaintiff left the unit and were walking down the hallway, once they approached the unit manager's office Sgt. Brown told the Plaintiff to stop. At this same time Defendant Lt. Carney was coming from the other direction of the hallway. After Sgt. Brown

Continued on next page -

talked to Defendant Lt. Carney away from Plaintiff Rankin, then the Defendant Lt. Carney approached Plaintiff Rankin and told him to place his hands on the wall. Plaintiff Rankin was then handcuffed behind his back and escorted down the hallway by Defendant Lt. Carney until they were met by Defendant Jennings. As the Defendants escorted Plaintiff down the hallway, one on each side of Plaintiff holding each arm. As they came upon a wet floor sign in the middle of the hallway, Plaintiff Rankin was walked right into the wet floor sign, kicking it over, as Plaintiff had no choice or control in doing so. That is when Defendants Lt. Carney and Jennings lifted the Plaintiff off his feet and ran the Plaintiff's face and head into the concrete hallway wall several times, violating Plaintiff's Eighth Amendment, with cruel and unusual punishment. Then Plaintiff was taken to the segregation unit and placed in a cell. Once in the cell the Plaintiff noticed in the mirror how his eye and face were swollen. Also Plaintiff was in severe pain and nauseous, and was denied medical attention after requesting several times. Plaintiff would like to state that it is common knowledge to both inmates and staff that the Defendant Lt. Carney is in an intimate relationship with Sgt. Brown who is believed to be the instigator of this violation.

V. RELIEF

[State briefly EXACTLY what you want the Court to do for you.] Make no legal arguments.

Cite no statutes.]

The Plaintiff Joshua Rankin had no control over the circumstances that surrounded the Plaintiff and respectfully moves this Honorable Court to grant the following: 1) Allow the Plaintiff to proceed and file the complaint and assume jurisdiction; 2) Declare that the Defendants actions have violated Plaintiffs Constitutional Rights; 3) Appoint Counsel and reasonable fees pursuant to 28 U.S.C. 1919(d) and 42 U.S.C. § 1988; 4) Grant Plaintiff Rankin both compensatory and punitive damages in the amount of \$6,000,000.00 (six million dollars) against each defendant jointly and severally; 5) Plaintiff also seeks a jury trial on all issues triable by jury, and any additional relief this court deems just, proper and equitable.

Signed on this 6 day of June, 2015.

Joshua Rankin
Plaintiff

I declare under penalty of perjury that the foregoing is true and exact, to the best of my knowledge, information and belief.

6-6-15
Date

Joshua Rankin
Plaintiff

Joshua Rankin #525763 | The Night I Was Assaulted | Date May, 5, 2015

1. On May, 5, 2015 Joshua Rankin 525763 was Placed In Seg
 2. Cell 118 Around 1:23 pm on morning Shift. You worked
 3. That Night Can you vouch to what plaintiff Joshua Rankin 525763
 4. is stating True. Since You were working that Night at the
 5. bottom is Joshua Rankin 525763 Statement. On his Statement IF that
 6. is what You seen with yo own Eye's, Spoke and said with your own
 7. mouth, heard with yo own ears, and know for a fact and processed
 8. with yo own brain. Then Sign below his Statement with your signature
 9. Your Sign store is saying Everything Joshua Rankin has written in his
 10. Statement is true Nothing but the truth. Joshua Rankin 525763 Statement
 1. On May 5, 2015 Joshua Rankin was In seg Cell 118 Joshua Rankin was
 2. place there doing morning Shift. Which End At 6:00pm and begin 6:00Am which
 3. You work 6:00pm the night Shift. doing Your Walk Around You seen Joshua Rankin
 4. in Cell 118 and Joshua Rankin Stoped you and Stated Plesse Call medic's / or
 5. Give me a Sick Call my head and neck hurts real bad. Im in pain. When You
 6. observed Joshua Rankin he had bruises on his face and forehead and
 7. facial swelling Also a Lump or knot on the right side of his neck that was
 8. swelling also. after you got through observin Joshua Rankin You Asked him
 9. what happened And Joshua Rankin Stated the police Jumped on me doing so he also
 10. Stated Jenning and Carney then Joshua Rankin ASKed what are they real names
 11. So he can sue them. After Joshua Rankin got thru talking You Stated you heard
 12. some About what happened on your way in to work they told you meaning Carney
 13. or Jenning told you talk to him meaning Joshua Rankin.

Witness
 Signature. Calvin Crew | CCA officer | I am the Joshua Rankin 525763

Declaration Under Penalty of Perjury.

By threatening Plaintiff Rankin with physical violence for exercising his right to seek redress from the prison grievance system, Defendants co-workers are retaliating against Plaintiff Rankin. Thus unlawfully violating the Plaintiff's rights under the First Amendment to the United States Constitution. These illegal actions are causing the Plaintiff duress and injury to his First Amendment Right. Defendants co-workers are both supervisors in the segregation housing unit where Plaintiff is presently housed. Co-workers names are Dexter Amos and Xavier Henley, both employees of Whiteville Correctional Facility of CCA.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6-20-15 at : Whiteville TN
DATE City and State